

REMARKS

Claims 1-26 are pending, with claims 1, 7, 12, 15, and 22 being independent. By virtue of this response, claims 1-26 are amended. Paragraph [0041] is also hereby amended, as described below. No new matter has been added.

In the Office Action, the drawings were objected to as failing to comply with 37 CFR 1.84(p)(5), because the referenced numeral “260” was included in the specification with reference to FIG. 5, without being included in FIG 5 itself. Applicant respectfully submits that the above-referenced amendment to paragraph [0041] of the specification, which removes the reference numeral “260,” obviates this objection, and requests that the objection be withdrawn.

Claim 1 is objected to for an informality, and the above-referenced amendments to claim 1 are believed to address this objection, so that the objection should be withdrawn. Claims 1-26 have also been amended to address various other informalities that are not believed to affect the patentability of the claims, except as described herein.

Claims 1-11, 18, and 19 are rejected under 35 U.S.C. §112(2), as being indefinite. The above-referenced amendments to claims 1, 3, 7, 9, and 18 are believed to address these rejections, so that the rejections should be withdrawn. Further, claims 1-11, 18, and 19 are indicated to contain allowable subject matter if rewritten or amended to overcome these rejections, so that Applicant believes claims 1-11, 18, and 19 are now in condition for allowance.

Moreover, claims 12-17, 20, and 21 are allowed, while claims 25 and 26 are objected to as being dependent upon a rejected base claim, but are indicated to be allowable if rewritten in independent form. Applicant thanks the Examiner for all of the above indications of allowability. In response to the Examiner’s statement of reasons for allowance in paragraph 16 of the Office Action, Applicant respectfully submits that the stated reasons for allowability are not believed to be the sole or the only reason(s) that the allowed claims are neither anticipated nor rendered obvious by the art of record.

Claims 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent No. 6,931,088 to Tomita (Tomita) in view of U.S. patent No. 6,542,038 to Nishimura et al. (Nishimura).

In response to the rejection of claims 22-24, Applicant respectfully submits that the proposed combination of Tomita and Nishimura fails to establish a *prima facie* case of

obviousness, because the proposed combination would fail to include all of the elements of at least independent claim 22.

For example, independent claim 22 recites:

A method comprising:
providing received data to a decision feedback equalizer;
generating, by the decision feedback equalizer, a binary signal according to the received data;
generating a phase delay signal based on processing delays associated with the decision feedback equalizer;
extracting a clock signal from the binary signal according to the phase delay signal, to thereby compensate for the processing delays; and
retiming the binary signal according to the clock signal.

Neither Tomita, nor Nishimura, nor any proper combination of the two, provides any disclosure or other teaching of “generating a phase delay signal based on processing delays associated with the decision feedback equalizer,” or “extracting a clock signal from the binary signal according to the phase delay signal, to thereby compensate for the processing delays,” as recited in claim 22.

Accordingly, Applicant respectfully submits that independent claim 22 is allowable for at least the above reasons, so that claims 23-26, which depend from claim 22, are allowable for at least the same reasons.

Conclusion

Based on the above, Applicant believes that all of pending claims 1-26 are in condition for allowance and respectfully requests notification to that effect. The Examiner may telephone Applicant's attorney (202-470-6452) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9th day of July, 2007.

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